

Rejection of the Claims Under §102

Claims 2-13 were rejected under 35 U.S.C. § 102 as reciting subject matter that is anticipated by U.S. Patent No. 6,401,080 (Bigus et al.). For the following reasons, Applicant traverses this rejection and submits that the currently claimed invention is patentable over the prior art.

ANALYSIS

The Invention

Independent claim 2 is directed to an intelligent agent having a negotiation object which includes at least one first sub-object associated with the negotiation object and at least one second sub-object associated with the first sub-object. A negotiation with the second sub-object is satisfied prior to entering a negotiation with the first sub-object. Independent method claim 6 and computer medium claim 10 recite the same patentable features.

The Prior Art

As understood by Applicant, Bigus et al. is directed to an intelligent agent with negotiation capabilities. Specifically, the intelligent agent of Bigus et al. includes operating parameters which are randomized to reduce predictability in the negotiation strategies of the agent. One or more of the parameters may be constrained to limit unproductive negotiations.

Requirements For Anticipation

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” M.P.E.P. 2131, quoting, *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987).

After a thorough review of the Bigus et al. reference, Applicants could find nothing therein that discloses all the features of the present invention. In particular, Bigus et al. fails to disclose an intelligent agent having a negotiation object with at least one first sub-object and at least one second sub-object associated with the first sub-object, where a negotiation with the second sub-object is satisfied prior to entering a negotiation with the first sub-object.

In the claimed invention, each sub-object is negotiated with the satisfaction of the second sub-object negotiation occurring prior to entering into a negotiation with the first sub-object of the negotiation object.

The Action alleges that column 8, lines 24-39 of Bigus et al. disclose all the feature of claim 2. Applicant respectfully disagrees. The portion of Bigus et al. referred to in the Action describes the operating parameters of the agent of Bigus et al., and that these parameters may be restrained to limit unproductive negotiations. However, this section does not disclose, teach or suggest at least a negotiation of a second sub-object of a first sub-object of a negotiation object being satisfied prior to entering a negotiation of the first sub-object.

The other art of record fails to disclose, teach or suggest these deficiencies of Bigus et al. Accordingly, for at least those reasons, claims 2, 6 and 10 are patentable over the prior art.

Since the remaining claims are dependent upon one or another of the independent claims, they are believed patentable for the same reasons. Accordingly, Applicant respectfully requests that the § 102 rejection of the claims be withdrawn.

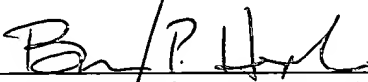
CONCLUSION

In view of the foregoing amendments and remarks, Applicant submits that the issues raised in the outstanding Office Action have all been addressed. Accordingly, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 692-6803. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

Date: October 18, 2007


Brian P. Hopkins, Reg. No. 42,669
Attorney for Applicants
Mintz Levin Cohn Ferris
Glovsky & Popeo, P.C.
One Financial Center
Boston, MA 02111
Phone: 212-692-6803
Fax: 212-983-3115



30623

PATENT TRADEMARK OFFICE